

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

Savannah Division

United States of America

v.

Kia Rube Hickman

Date of Previous Judgment: August 31, 2005

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR405-00003-001

) USM No: 12168-021

) Michael Schiavone

) Defendant's Attorney

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Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 34

Amended Offense Level: 32

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 188 to 235 months

Amended Guideline Range: 151 to 188 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

The Court showed the defendant mercy by sentencing her outside the advisory guideline system at the time of her original sentencing. The Court notes the defendant has been cited for several disciplinary issues while incarcerated. After considering several factors identified at 18 U.S.C. § 3553(a), namely the history and characteristics of the defendant and the need to protect society, the Court will not impose a sentence less than 150 months, which sentence is already below the minimum of the amended advisory guideline range.

Except as provided above, all provisions of the judgment dated August 31, 2005, shall remain in effect.

IT IS SO ORDERED.

Order Date: 7-9-2008


Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title

Effective Date: _____
(if different from order date)